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S E C R E T SECTION 01 OF 05 DUSHANBE 000924

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DEPARTMENT FOR SCA/CEN, DS/IP/SCA, DS/SPC/SO, DS/DSS, CA/OCS

E.O. 12958: DECL: 6/18/2017

TAGS: ASEC AMED CASC PREL TI

SUBJECT: U.S. MILITARY PERSONNEL ASSAULTED AND MEDEVACED

REF: RSO SPOT REPORT 06/17/2007

CLASSIFIED BY: SETH GREEN, RSO, DUSHANBE, STATE.

REASON: 1.4 (a), (d)

11. (S/NF) SUMMARY: On June 17 at 0115 hours, three temporary duty military personnel and one private American citizen were severely beaten outside a local night club. Members of the team estimated the assault lasted for twenty minutes and around thirty attackers participated. They subsequently received treatment at the Embassy Medical Unit and were medically evacuated on a military flight at 2130 hours that evening. A Ministry of Foreign Affairs official requested orally (not in writing) that the Embassy waive the victims' immunity status in order to facilitate the investigation and possibly prosecute the Americans for assaulting Tajik nationals. The Embassy expects to receive an official note from the Ministry this week, which may or may not include a request for an immunity waiver. The Embassy has already initiated dialogue with officials to improve responses to such incidents consistent with Vienna Convention protections and the Status of Forces Agreement. END SUMMARY.

12. (S/NF) On June 16, around 2300 hours, one Army warrant officer from a U.S. Central Command Planning Team, two Marines making up a Marine Special Operations Command advance team for a Joint Combined Exchange Training, and a private American citizen visited a local nightclub called Port Said, which is frequented by westerners including American diplomats. According to one Marine, they shared between the four of them and two guests a single bottle of vodka and a large box of juice. On June 17, at approximately 0030 hours, the group left Port Said and drove to another nightclub called Simin, arriving at approximately 0100 hours. None of the Americans noticed anything suspicious at the club or any large crowd in the front.

13. (SBU) According to the Americans interviewed, one Marine and the Army warrant officer went upstairs while the remaining Marine and private American remained downstairs. None claimed to be involved in any altercation at Port Said or at Simin. At approximately 0115 they decided to leave Simin because the club was slow. In the small entryway leading into the club, a large crowd of locals had gathered. Details from the interviews with the three American military personnel and their health status follow:

14. (SBU) The Army Officer remembered coming down the stairs and "everything went black." According to one Marine, five or six locals assaulted him from behind as he entered the small

entryway. The Army Officer had a broken nose, concussion, and bruised ribs. He had numerous cuts and bruises across his face.

His significant facial wounds are consistent with an assault from behind and going face first into the ground. His clothing was covered in blood.

¶ 15. (SBU) The senior Marine remembers ordering a beer at the bar. Before he was able to drink it, the private American approached him and signaled the group was ready to leave. As he exited through the small lobby, a large crowd of men were there lining each wall. Someone struck him on the left side of the head and several men began punching and kicking him. The men then dragged him outside continuing to beat him until he fell down a series of stairs leading from the club entrance. Men continued to beat him until an unidentified female arrived and began screaming at the attackers to stop. He then made his way back to their vehicle where their local driver was waiting. The senior Marine had a severe concussion, but no broken bones. He had numerous cuts and bruises across his face and was barely conscious. His clothing was covered in blood.

¶ 16. (SBU) The junior Marine remembered going upstairs with the Army warrant officer, and after approximately ten minutes, they decided to leave because the club was slow. He was behind the others when the beating started in the entryway. A group of five to six attackers punched, kicked, and dragged him outside. At one point, he managed to evade his attackers and sprint a few meters away where he observed the Army warrant officer on the ground, apparently unconscious and local men continuing to assault him. He returned to the area to assist the warrant officer and the group attacked him again, repeatedly kicked him in the head. On a couple of occasions, he was able to briefly escape but his attackers chased him down and continued to beat him. During the attack, he recalled hearing sirens and on one occasion when he had briefly made distance between himself and his attackers, he saw five or six uniformed officers from the

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Ministry of Interior observing the fight, but making no effort to intervene. At some point, the attackers dispersed and he was able to retrieve the barely-conscious Army warrant officer, who was in a gutter spitting up blood, and bring him to their vehicle. The junior Marine was the most lucid in recalling details afterwards. He had a broken nose and cheek bone, and a number of cuts and bruises on his face. His clothing was ripped, but he appeared to have significantly less blood loss than the others.

¶ 17. (SBU) Following the attack, the four had managed to make their way back to their Embassy vehicle when uniformed officers from the Ministry of Interior surrounded the vehicle. The local national driver attempted to depart the scene but the Ministry of Interior policemen blocked their way. The policemen removed the driver from inside the vehicle and began to remove the Americans as well. The junior Marine explained in both English and Russian that they were American military associated with the Embassy, and used the word "diplomat" a number of times. The junior Marine explained that they were going to the Embassy for medical treatment. The Ministry of Interior policemen forcibly removed the Americans from the diplomatic vehicle, took the keys, and put the wounded Americans in a local ambulance. A Ministry of Interior policeman put the local national driver in the back seat of the diplomatic vehicle and drove that vehicle to the police station.

¶ 18. (C/NF) The Army warrant officer first called the Defense Attache at 0143 hours and said that there were policemen trying to force them from the car. The line went dead. The Defense Attache immediately called back and the Army warrant officer stated that he had just been put into an ambulance and didn't know where he was being taken. He outlined all the Americans who were with him. The Defense Attached spoke to the driver who stated they were being taken to the Karabulo hospital. The Army warrant officer was very incoherent during both phone calls. The Defense Attache immediately notified the RSO and the Medical Officer. The RSO also contacted the Medical Officer, and the

two met the Defense Attache at the Karabulo Hospital. The RSO observed only the three official Americans present and learned that the private American had left the hospital on his own by taxi and was heading home. The Medical Officer determined that the medical facility was not safe for treatment and recommended they transfer to the Embassy Medical Unit for treatment. At this time, officials from the Ministry of Interior arrived and the RSO met with them off to the side to arrange for the safe evacuation of Embassy personnel.

¶9. (C/NF) At 0230 hours, the Medical Officer and Defense Attache, along with members of the local guard force Mobile Patrol, transported the three men to the Embassy while the RSO met with the Ministry of Interior policemen who had arrived at the hospital. According to the Army Officer and junior Marine, both Ministry of Interior policemen were on the scene when they were attacked, and were directing the police who had removed them from the diplomatic vehicle. The senior Ministry of Interior official identified himself as Subhon MIRALIEV, Deputy Chief of the Ministry of Interior in the Sino-1 district, and protested the removal of the American to the Embassy. He stated that the Americans began the fight with local men at the club. According to witnesses, he stated, an African-American male began arguments inside the disco club with one of the local men and decided to talk outside. Once outside, the American hit the local man with a bottle of beer and a fight ensued involving 20-30 local men. He stated that they had a few local men in custody and that he wanted to take the Americans to the police station to identify them. He further demanded that the men be given blood alcohol testing at another Ministry of Interior facility immediately. The RSO stated that his immediate concern was for their health and safety, and that they would be treated by the Embassy Medical Officer, who would perform all appropriate tests. RSO stated that if the police identified suspects, once the Americans were treated he would request permission from for them to participate in identifying the suspects. According to the mobile patrolman who was translating, MIRALIEV switched to Tajik and ordered his men not to allow the Americans to leave. The RSO insisted that the Americans were protected people under the Vienna Convention and they could not be detained by Tajik authorities. The RSO then ordered the Embassy security guards to assist the Embassy Medical Officer and Defense Attache in moving the Americans into their vehicle.

¶10. (C/NF) RSO dispatched Embassy security investigators with a mobile patrol to the original crime scene to see if

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investigators were still there and interview any witnesses. The club was deserted, there was no crime scene established, and broken glass and bottles remained outside. The mobile patrol recovered a military watch belonging to one of the injured Americans in one of the ditches.

¶11. (C/NF) After the RSO left the scene, Embassy mobile patrol guard overheard an interview between MIRALIEV and one local Tajik who was brought into the hospital having been involved in the fight. The local had difficulty speaking because of an injured jaw, but stated that he had been in an argument with a large African-American male and they had stepped outside. He stated the next thing he knew, his brother was taking him to the hospital. RSO Note: The senior Marine and the private American are both African-American. The private American is the taller and broader of the two. End Note.

¶12. (SBU) At 0238 hours, the injured Americans along with the Medical Officer and Defense Attache arrived at the Embassy and treatment began. RSO arrived at the Embassy at 0244 hours and began debriefing the injured Americans to varying degrees, depending on their consciousness and Medical Officer's guidance. The RSO contacted the Consul to notify him of the injured private American and dispatched an Embassy security investigator to go with him to assist. All three had facial lacerations which the Medical Officer repaired, two had concussions, and all three had facial contusions: one severe, one moderate, and one mild.

The in-country CAT scan of two more seriously injured Americans revealed multiple skull fractures and brain contusions.

¶13. (C/NF) At 0315, the RSO attempted to contact the Ministry of Foreign Affairs, but the duty officer informed Embassy security investigators that there was nobody available to respond. The RSO then contacted the DCM to brief him on the situation and request guidance. The DCM attempted to contact the Foreign Ministry but was unable to reach anyone. At 0340 the Embassy security investigator arrived at the Ministry of Foreign Affairs and spoke with the duty officer who said the Ministry had nobody available until 0800 that morning.

¶14. (C/NF) At 0635, Embassy security investigators interviewed the local national driver who had been detained by the Ministry of Interior following the incident. According to the driver, he observed approximately thirty Tajik males involved in the assault. They separated the four Americans and a group of six to seven were hitting and kicking them for approximately ten to fifteen minutes. He stated that when the Ministry of Interior policemen arrived, people began to disperse. The driver tried to get all the Americans together in the car, but the policemen did not allow them to leave. The policemen took the Americans out of the vehicle, ordered him in the back, and drove the vehicle to the police station.

¶15. (C/NF) At 1106 hours, the DCM and RSO met with representatives from the Ministry of Interior and Ministry of Foreign Affairs. According to the Ministry of Interior representative, the police received a call at 0130 hours about an incident at Simin. A group of policemen left to respond. According to multiple witnesses' statements including wait staff and club security, an American was sliding down a railing from the top floor when his leg hit the head of a local patron. A fight started and "several injured people are at the hospital" with various injuries he categorized as medium to light. According to multiple witnesses, an American started the fighting. The Ministry of Interior requested that the Embassy produce the injured Americans for an independent medical examination by Ministry of Health officials, interviews by a Ministry of Interior investigator, and records indicating their blood alcohol content. The Ministry of Interior also requested copies of the Americans identification and a copy of the Status of Forces Agreement.

¶16. (SBU) RSO Note. The Tajik criminal code rates injuries as minor, light, medium, and severe in order to determine the criminal charge levied. The reason the Ministry of Interior is frustrated by RSO actions to remove the Americans from the local hospital is because doctors do not make this determination, but rather an "independent group of experts from the Ministry of Health". According to the Ministry of Interior investigator, medical doctors are not qualified to make such a determination. End Note.

¶17. (C/NF) The RSO reviewed his notes from the incident with the Ministry of Interior and Ministry of Foreign Affairs representatives, indicating there were significant variations in

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the story the injured Americans told about the event and those of the witnesses the Ministry of Interior interviewed. The RSO also expressed concern about the Ministry of Interior's presence at the incident and their failure to intervene on behalf of the Americans until after the attackers left. The RSO explained that the reason the Americans were hesitant to go to the ambulances was because they had witnessed the police standing by passively while they were being assaulted and did not believe the police were trying to help. The RSO further expressed concern that the police physically detained and removed the Americans from the vehicle after they identified themselves as diplomats and were seated inside a diplomatic vehicle. Further, the RSO expressed concern about the removal from the diplomatic vehicle and detention of the local national driver, and the seizure of the Embassy vehicle by the Ministry of Interior. The RSO explained that the Embassy would seek permission from

Washington to arrange interviews with the American victims or to release their statements to the Government of Tajikistan. RSO Note: Throughout the RSO's review of the incident, the Tajik Ministry of Interior officials took no notes. End Note.

¶18. (C/NF) The chief of Ministry of Foreign Affairs Diplomatic Services (and former Deputy Chief of Mission to the Tajik embassy in Washington), Nazir Sharipov, followed the RSO by stating that he believes "the fault lies with the American side." He then stated that on behalf of his Ministry, he was officially demanding the United States waive the immunity status of the three injured Americans for purposes of this incident. He stated that if the Americans were guilty and the Embassy refuses to cooperate in the investigation, they would be expelled. He then stated that even if the local Tajik citizens were guilty, the American side's failure to cooperate would make proving the Americans' innocence difficult. He explained that because the Americans had refused treatment at the local hospital, the Embassy cannot prove the Americans were not drunk, and said that failure to allow the police to take statements was an obstruction.

¶19. (C/NF) At 0800 hours, the Medical Officer determined that the nature of the head injuries warranted an immediate medical evacuation for specialty care, another CAT scan, and observation. The Medical Officer contacted the Regional Medical Officer in Almaty as well as the medical team at Manas Airbase through the Defense Attache. Following consultations, the medical team concurred that the immediate medical evacuation was necessary.

¶20. (SBU) At 2120, the American Military medical evacuation flight arrived and the three Americans were turned over to their care in stable condition.

¶21. (S/NF) Post's Emergency Action Committee met on June 18 regarding this incident and another minor altercation at Port Said the night before. The Emergency Action Committee has asked the RSO to impose a midnight curfew for all public establishments serving alcohol for four weeks effective immediately. The Ambassador also asked the RSO to review safety and security measures at dance clubs and bars in town, and to report findings and recommendations to the Emergency Action Committee. The RSO will also put both Port Said and Simin off limits for all official Americans. Details of the meeting will be sent via septel.

¶22. (SBU) The RSO is still investigating this incident and will report via septel to DS and appropriate DOD elements. There have been no press inquiries to the Embassy to date, however the internet/radio media outlet Asia Plus did contact the Ministry of Foreign Affairs. The Defense Attache has notified all appropriate DOD Commands. The consul is clearing a warden notice with Consular Affairs regarding the Embassy's advice concerning local drinking establishments.

¶23. (S/NF) Recommendations: The Ambassador has informed the Defense Attache that the three official Americans medevaced should not return to post. If the Embassy receives a written request for waiver of immunity or permission to interview the Americans, we intend to inform the Ministry that they have left for medical treatment and will not return to Dushanbe. We plan to use this incident to improve our pool of information concerning potential hot spots and violence prone establishments, and advise official and private Americans accordingly. We will also work through the issues involving immunity under the Vienna Convention and Status of Forces Agreement in an attempt to improve the response by Tajik officials in any future incidents. This is an ongoing effort.

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¶24. (U) The point of contact for this and all security related matters at Post is RSO Seth Green.  
JACOBSON